

HARTLEY L. GORDON
AND
JAMES A. LINT

IBLA 76-719

Decided October 29, 1976

Appeal from decision of New Mexico State Office rejecting simultaneous oil and gas lease offer NM 27940.

Affirmed.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas
Leases: Applications: Drawings

A simultaneous oil and gas drawing entry card must be fully executed by the applicants and when they omit their address or the state in which the parcel of land to be leased is located, the lease offer is properly rejected.

APPEARANCES: Hartley L. Gordon and James A. Lint, pro se.

OPINION BY ADMINISTRATIVE JUDGE RITVO

Hartley L. Gordon and James A. Lint have appealed from a decision of the New Mexico State Office, Bureau of Land Management, rejecting their oil and gas lease offer, New Mexico 27940, filed as a drawing entry card for Parcel 568 in the April 1976 simultaneous drawing. Appellants' offer was drawn number two and was considered after the offeror, whose card had been drawn first, failed to qualify for a lease. Their offer was rejected because the entry card failed to include the name of the state in which the parcel to be leased is located and the addresses of the offerors.

[1] The pertinent regulation requires that drawing entry cards be fully executed. 43 CFR 3112.2-1(a). The card submitted

by appellants required both that the address of the offeror and the state in which the parcel is located be provided. As the Board has recently held, an offer defective in either of these particulars, must be rejected. Ray Granat, 25 IBLA 115 (1976); 1/ Albert E. Mitchell III, 20 IBLA 302 (1975), failure to supply name of state; Grace W. Williams, 26 IBLA 232 (1976), failure to supply address. See also John R. Mimick, 25 IBLA 107 (1976), omission of date of execution on the card.

Accordingly, the offer was properly rejected.

In their statement of reasons for appeal, appellants say that their failure to complete the card properly was due to the practice they had followed when they had filed through a leasing service. As we pointed out in Williams, supra, the leasing service has no official connection with the BLM and reliance on their instructions cannot excuse failure to comply with the requirements of the regulation.

Appellants also point out that they believe their addresses were on file with the State office. However, even if this were so, it does not relieve them of the obligation to fully execute each entry card.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision of the State Office is affirmed.

Martin Ritvo
Administrative Judge

We concur:

Joseph W. Goss
Administrative Judge

Anne Poindexter Lewis
Administrative Judge

1/ Judicial review pending sub nom. Granat v. Kleppe, Civil No. 76-274 (D. Utah).

